

ASSEMBLY BILL

No. 2448

Introduced by Assembly Member Hancock

February 23, 2006

An act to amend Sections 52302.5, 52303, 52314, 52314.5, and 52315 of, to amend and repeal Section 52302.7 of, to add Sections 52302.2 and 52302.8 to, to repeal Sections 52302.3, 52314.6, and 52314.7 of, and to repeal and add Section 52302 of, the Education Code, relating to regional occupational centers and programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2448, as introduced, Hancock. Regional occupational centers and programs: administration.

(1) Existing law authorizes the county superintendent of schools of each county, with the consent of the State Board of Education, to establish and maintain at least one regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses.

Existing law requires the county superintendent of schools or school districts sponsoring the regional occupational center or program to conduct a job market study in the labor market area in which it proposes to establish the center or program to ensure that the anticipated employment demand for trainees justifies the establishment of the proposed courses of instruction.

This bill, instead, would require the governing board of each regional occupational center or program, on or before July 1, 2010, to ensure that at least 90% of all state-funded courses offered by the center or program are part of occupational course sequences that target high-skill occupations that are in-demand in the region, as specified. The bill would make compliance with this and related requirements a

condition of receiving funds provided under the federal Carl D. Perkins Vocational and Applied Technology Education Act of 1998.

Because these requirements would impose additional duties on the governing boards of regional occupational centers and programs, the bill would establish a state-mandated local program.

(2) Existing law authorizes a regional occupational center to provide, on an individual referral basis, academic and personal development instruction for adult students enrolled in a career technical education course conducted by the regional occupational center when it is determined that it is essential for this instruction to be given to ensure the employability of the adult student.

This bill would phase out funding for services provided to adult students by regional occupational centers or programs.

(3) Existing law limits attendance at a regional occupational center or program to pupils who are 16 years of age or older, with certain exceptions.

This bill would revise the specified exceptions to include pupils who are less than 16 years of age and are referred to the center or program as part of a comprehensive high school plan that has been approved by a school counselor or school administrator and the pupil's parents or guardian. Because these revisions would result in additional duties on regional occupational centers and programs, the bill would establish a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 52302 of the Education Code is
2 repealed.
3 ~~52302. The school or community college district or districts,~~
4 ~~or county superintendent or superintendents, sponsoring the~~

~~1 regional occupational center or program shall conduct a job
2 market study in the labor market area in which they propose to
3 establish a regional occupational center or program. The study
4 shall use the State-Local Cooperative Labor Market Information
5 Program established in Section 10533 of the Unemployment
6 Insurance Code, or if this program is not available in the labor
7 market area, other available sources of labor market information.
8 The study shall include a California Occupational Information
9 System supply analysis of existing career technical and
10 occupational training programs maintained by high schools,
11 community colleges, and private postsecondary schools in the
12 area to ensure that the anticipated employment demand for
13 trainees in the proposed regional occupational centers and
14 programs justifies the establishment of the proposed courses of
15 instruction.~~

16 SEC. 2. Section 52302 is added to the Education Code, to
17 read:

18 52302. (a) On or before July 1, 2010, the governing board of
19 each regional occupational center or program shall ensure that at
20 least 90 percent of all state-funded courses offered by the center
21 or program are part of occupational course sequences that target
22 high-skill occupations that are in demand in the region. Each
23 occupational sequence shall do all of the following:

24 (1) Result in an occupational skill certificate that has been
25 approved by the employer advisory board created pursuant to
26 Section 52302.2.

27 (2) Provide prerequisite courses that are needed to enter
28 vocational certificate or degree programs offered by the
29 community college serving the same region in the same
30 occupational area.

31 (3) Focus on high-skill occupations that offer high entry-level
32 wages or the possibility of significant wage increases after a few
33 years on the job, or both.

34 (4) Offer as many courses as possible that have been approved
35 by the University of California as courses meeting the “A-G”
36 admissions requirements.

37 (b) On or before July 1, 2007, the governing board of each
38 regional occupational center or program shall approve a plan for
39 transforming its courses into sequences of courses, as required in
40 subdivision (a). In developing the plan, each regional

1 occupational program or center shall consult with school districts
2 and community college districts located within the region served
3 by the program or center, and with the relevant local workforce
4 investment board to ensure that the plan does all of the following:

5 (1) Meets the vocational education needs of high school pupils
6 in the region.

7 (2) Creates sequences of courses that begin with middle or
8 high school introductory courses, include occupational skill
9 courses provided by high schools or regional occupational
10 programs or centers, and culminate in community college
11 certificate or degree programs.

12 (3) Avoids duplication of vocational course offerings among
13 high schools, regional occupational centers or programs, and
14 community colleges.

15 (4) Maximizes the use of local, state, and federal resources in
16 helping high school pupils enter high-skill occupations or
17 continued education in college, or both, after graduating from
18 high school.

19 (c) Prior to approving the plan, the board of the regional
20 occupational center or program shall seek approval of the plan
21 from all school districts serving grades 9 to 12, inclusive, within
22 the region. If fewer than 60 percent of the districts in the region
23 serving high school pupils approve the plan, the regional
24 occupational center or program shall revise the plan and resubmit
25 it to the districts for approval.

26 (d) As a condition of receiving federal funds provided under
27 the Carl D. Perkins Vocational and Applied Technology
28 Education Act of 1998 (20 U.S.C. Sec. 2301 et seq.), or any
29 successor, school districts, regional occupational centers or
30 programs, and community college districts shall do all of the
31 following:

32 (1) Develop course sequences that meet the requirements of
33 this section according to the schedule set forth in this paragraph.
34 Failure to implement sequences according to this schedule shall
35 make the school district, regional occupational center or
36 program, and community college district ineligible to earn
37 federal vocational education funds until the status of
38 implementation meets the requirements of this subdivision.

39 (A) On or before January 1, 2008, school districts, regional
40 occupational centers or programs, and community college

1 districts shall have adopted an approved plan as required under
2 this section.

3 (B) On or before July 1, 2008, school districts, regional
4 occupational centers or programs, and community college
5 districts shall have established course sequences as required
6 under this section that include at least one-third of the courses
7 offered by the regional occupational center or program.

8 (C) On or before July 1, 2009, school districts, regional
9 occupational centers or programs, and community college
10 districts shall have established course sequences as required
11 under this section that include at least two-thirds of the courses
12 offered by the regional occupational center or program.

13 (2) Provide pupils who are participating in vocational
14 sequences with information and experiences designed to increase
15 their post-graduation work and school options. This information
16 and experiences shall include, but is not limited to, all of the
17 following:

18 (A) Information about the admissions requirements of the
19 University of California and California State University.

20 (B) Information about the placement requirements of the local
21 community college or colleges.

22 (C) Information about higher education options that would
23 allow pupils to continue study in the occupational area that is the
24 focus of the vocational sequence.

25 (D) Visits to local colleges and universities that offer
26 programs that allow pupils to gain additional skills and degrees
27 in the occupational area that is the focus of the vocational
28 sequence.

29 (E) Information and referrals to employers in the region that
30 hire persons with the occupational skills that are the focus of the
31 vocational sequence, including, but not limited to, internships,
32 summer employment opportunities, and employment
33 opportunities for pupils after graduation from high school.

34 SEC. 3. Section 52302.2 is added to the Education Code, to
35 read:

36 52302.2. (a) The governing board of each regional
37 occupational center or program shall establish and maintain an
38 employer advisory board for each occupational area in which the
39 center or program offers course sequences. The advisory board
40 shall do all of the following:

1 (1) Approve skill certificates that identify the skills and
2 knowledge that pupils completing an occupational course
3 sequence are expected to acquire upon completing the sequence.
4 The advisory board also shall approve the measures and criteria
5 that are proposed to be used to evaluate whether pupils actually
6 acquired the identified skills and knowledge.

7 (2) Audit at least once a year whether pupils who are assessed
8 as having met the requirements for a skill certificate possess the
9 skills needed for success in employment in that occupation.

10 (3) Certify that the specific occupational sequences offered by
11 the regional occupational center or program train pupils for jobs
12 that are in demand in the region and offer high beginning salaries
13 or the potential for significant wage increase after several years
14 on the job.

15 (4) Assist the high school and regional occupational center in
16 developing internships, paid summer employment, and
17 post-graduation employment opportunities for pupils
18 participating in the course sequences.

19 (5) Assist the high school and regional occupational center or
20 program in creating college scholarships for pupils participating
21 in the course sequences.

22 (b) Employer advisory boards shall be composed of at least
23 five representatives of businesses or government agencies that
24 hire a significant number of employees each year and require the
25 skills and knowledge that are taught in the course sequence or
26 sequences in that occupational area. The department shall
27 develop regulations guiding the establishment of these boards.

28 SEC. 4. Section 52302.3 of the Education Code is repealed.

29 ~~52302.3. (a) Every career technical course or program~~
30 ~~offered by a school district or districts or county superintendent~~
31 ~~or superintendents sponsoring a regional occupational center or~~
32 ~~program shall be reviewed every two years by the appropriate~~
33 ~~governing body to assure that each course or program does all of~~
34 ~~the following:~~

35 ~~(1) Meets a documented labor market demand.~~

36 ~~(2) Does not represent unnecessary duplication of other~~
37 ~~manpower training programs in the area.~~

38 ~~(3) Is of demonstrated effectiveness as measured by the~~
39 ~~employment and completion success of its students.~~

1 ~~(b) Any course or program that does not meet the requirements~~
2 ~~of subdivision (a) and the standards promulgated by the~~
3 ~~governing body shall be terminated within one year.~~

4 ~~(c) The review process required by this section shall include~~
5 ~~the review and comments by the local private industry council~~
6 ~~established pursuant to Division 8 (commencing with Section~~
7 ~~15000) of the Unemployment Insurance Code, which review and~~
8 ~~comments shall occur prior to any decision by the appropriate~~
9 ~~governing body.~~

10 ~~(d) This section shall apply to each course or program~~
11 ~~commenced subsequent to the effective date of this section.~~

12 SEC. 5. Section 52302.5 of the Education Code is amended to
13 read:

14 52302.5. A regional occupational center or regional
15 occupational program shall *do all of the following*:

16 (a) Provide individual counseling and guidance in career
17 technical matters.

18 ~~(b) Provide a curriculum which includes skill training in~~
19 ~~occupational fields having current and future needs for the~~
20 ~~training that includes a sequence of academic and skill~~
21 ~~instruction in specific occupational fields leading to an~~
22 ~~employer-endorsed skill certificate and vocational degree or~~
23 ~~certificate programs at a community college.~~

24 ~~(c) Provide an opportunity for students to acquire entry level~~
25 ~~career technical skills which may lead to a combination~~
26 ~~work-study schedule.~~

27 ~~(d) Provide for the upgrading of the career technical skills of~~
28 ~~students and for retraining where necessary.~~

29 ~~(e)~~

30 (c) Maintain a pupil-teacher ratio which will enable ~~students~~
31 *pupils* to achieve optimum benefits from the instructional
32 program.

33 ~~(f)~~

34 (d) Assign the highest priority in services to youth from the
35 age of 16 to 18 years, inclusive.

36 SEC. 6. Section 52302.7 of the Education Code is amended to
37 read:

38 52302.7. (a) A regional occupational center may provide, on
39 an individual referral basis, academic and personal development
40 instruction for adult students enrolled in a career technical

1 education course conducted by the regional occupational center
2 when it is determined that it is essential for this instruction to be
3 given to ensure the employability of the adult student.

4 *(b) This section shall become inoperative on June 30, 2007,*
5 *and, as of January 1, 2008, is repealed, unless a later enacted*
6 *statute, that becomes operative on or before January 1, 2008,*
7 *deletes or extends the dates on which it becomes inoperative and*
8 *is repealed.*

9 SEC. 7. Section 52302.8 is added to the Education Code, to
10 read:

11 52302.8. (a) The Legislature hereby finds and declares that
12 vocational training resources that are provided through regional
13 occupational centers and programs are an essential component of
14 the state's secondary school system and the local system of
15 providing occupational skills training to high school pupils. For
16 this reason, the Legislature finds and declares that these
17 resources should be focused primarily on the needs of pupils
18 enrolled in high school.

19 (b) On or before July 1, 2008, a regional occupational center
20 or program may claim no more than 50 percent of the
21 state-funded average daily attendance for which the center or
22 program is eligible, for services provided to students who are not
23 enrolled in grades 9 to 12, inclusive.

24 (c) On or before July 1, 2009, a regional occupational center
25 or program may claim no more than 30 percent of the
26 state-funded average daily attendance for which the center or
27 program is eligible, for services provided to students who are not
28 enrolled in grades 9 to 12, inclusive.

29 (d) On or before July 1, 2010, a regional occupational center
30 or program may claim no more than 10 percent of the
31 state-funded average daily attendance for which the center or
32 program is eligible, for services provided to students who are not
33 enrolled in grades 9 to 12, inclusive.

34 SEC. 8. Section 52303 of the Education Code is amended to
35 read:

36 52303. "Regional occupational program," as used in this
37 chapter, means a *sequence of* career technical or technical
38 ~~training program which meets~~ *programs that meet* the criteria
39 and standards of instructional programs in regional occupational
40 centers and ~~which is~~ *are* conducted in a variety of physical

1 facilities ~~which~~ *that* are not necessarily situated in one single
2 plant or site.

3 SEC. 9. Section 52314 of the Education Code is amended to
4 read:

5 52314. (a) *(1)* Except as provided in subdivision (b), any
6 pupil eligible to attend a high school or adult school in a school
7 district subject to the jurisdiction of a county superintendent of
8 schools operating a regional occupational center or regional
9 occupational program, and who resides in a school district which
10 by itself or in cooperation with other school districts, has not
11 established a regional occupational center, or regional
12 occupational program, is eligible to attend a regional
13 occupational center or regional occupational program maintained
14 by the county superintendent of schools. Any school district
15 which in cooperation with other school districts maintains a
16 regional occupational center, or regional occupational program,
17 or any cooperating school districts may admit to the center, or
18 program, any pupil, otherwise eligible, who resides in the district
19 or in any of the cooperating districts. Any school district which
20 by itself maintains a regional occupational center, or regional
21 occupational program, may admit to the center, or program, any
22 pupil, otherwise eligible, who resides in the district. No pupil,
23 including adults under Section 52610 shall be admitted to a
24 regional occupational center, or regional occupational program,
25 unless the county superintendent of schools or governing board
26 of the district or districts maintaining the center, or program, as
27 the case may be, determines that the pupil will benefit therefrom
28 and approves of his or her admission to the regional occupational
29 center or regional occupational program.

30 ~~A~~

31 (2) A pupil may be admitted on a full-time or part-time basis,
32 as determined by the county superintendent of schools or
33 governing board of the school district or districts maintaining the
34 center, or program, as the case may be.

35 (b) ~~No~~ ~~A~~ pupil ~~shall be~~ *is not* eligible to be admitted to a
36 regional occupational center or program, ~~nor may~~ *and* his or her
37 attendance *shall not* be credited to a regional occupational center
38 or program, until he or she has attained the age of 16 years,
39 unless the pupil meets one or more of the following conditions:

40 (1) The pupil is enrolled in grade 11 or a higher grade.

(2) The pupil received a referral and all of the following conditions are met:

(A) The pupil is referred to a regional occupational center or program ~~by a school counselor, school administrator, or classroom teacher as part of a comprehensive high school plan that has been approved by a school counselor or school administrator and the pupil's parents or guardian. The referral shall include a written statement of the reasons why the pupil's educational needs cannot be met without the pupil being enrolled in a regional occupational center or program.~~

Pupils under 16 years of age eligible for enrollment in regional occupational centers and programs under this paragraph include, but are not necessarily limited to, pupils for whom there is a high probability that they will leave school prior to graduation.

(B) The referral is reviewed and approved by the principal or designated administrator of the school in which the pupil is enrolled.

(C) The referral is reviewed and approved by the director or designated administrator of the regional occupational center or program to which the pupil has been referred.

(B) *The pupil's comprehensive high school plan requires referral to a regional occupational center or program as part of an individual program that allows the pupil to learn a high-skill occupation that culminates in earning a community college vocational certificate or diploma or its equivalent.*

~~(D)~~

(C) The pupil is enrolled in a high school, which, for purposes of this requirement, means a school that maintains any of grades 9 to 12, inclusive.

~~(3) The pupil's individualized education program adopted pursuant to the requirements of Chapter 2 (commencing with Section 56300) of Part 30 prescribes occupational training for which his or her enrollment in a regional occupational center or program is deemed appropriate.~~

(c) (1) Each school district, county superintendent of schools, or joint powers agency ~~which~~ *that* maintains a regional occupational center or regional occupational program shall submit to the ~~State Department of Education~~ *department*, at the time and in the manner prescribed by the Superintendent ~~of Public Instruction~~, the enrollment and average daily attendance

1 for each grade level and the enrollment and average daily
2 attendance for each exemption set forth in subdivision (b).

3 ~~The State Department of Education~~

4 (2) *The department* shall submit this information to the
5 *education and budget committees of the Legislature, the*
6 *Legislative Analyst's Office, and to the Director of Finance by*
7 *April 1 of each year for the preceding school year.*

8 SEC. 10. Section 52314.5 of the Education Code is amended
9 to read:

10 52314.5. A regional occupational center or program
11 established and maintained by a county superintendent of
12 schools, school districts, or joint power agencies pursuant to
13 Section 52301 shall admit youths between the ages of 16 to 18
14 years who are eligible to attend a high school in a school district,
15 but who have not been enrolled on a full-time or part-time basis
16 for a period of more than three months during the regular school
17 year, ~~on the same basis as, and applying the same criteria for~~
18 ~~admission as would be applied to, any pupil enrolled in a high~~
19 ~~school in a school district who is eligible to attend the regional~~
20 ~~occupational center or program; if all of the following apply:~~

21 (a) *The center or program, in conjunction with the*
22 *appropriate school district, develops a comprehensive high*
23 *school plan that describes the academic and vocational*
24 *instruction that will be provided to the pupil.*

25 (b) *The pupil's parents or guardian approves the*
26 *comprehensive plan in writing.*

27 (c) *The pupil enrolls in the appropriate adult school or high*
28 *school courses that are needed to satisfy the comprehensive high*
29 *school plan.*

30 ~~It is the intent of the Legislature that pupils admitted to a~~
31 ~~regional occupational center or program under this section shall~~
32 ~~be encouraged to return to high school in order to acquire the~~
33 ~~knowledge and skills necessary to prepare them for adult life.~~

34 SEC. 11. Section 52314.6 of the Education Code is repealed.

35 ~~52314.6. The average daily attendance claimed for pupils~~
36 ~~enrolled in a regional occupational center or program pursuant to~~
37 ~~paragraph (2) of subdivision (b) of Section 52314 shall not~~
38 ~~exceed 3 percent of the average daily attendance funded in the~~
39 ~~prior year for the center or program, or the following amount,~~
40 ~~whichever is greater:~~

1 ~~(1) Divide the enrollment of pupils under the age of 16 years~~
2 ~~in the regional occupational center or program in the 1982-83~~
3 ~~fiscal year by three.~~

4 ~~(2) Multiply the amount computed pursuant to paragraph (1)~~
5 ~~by 0.25.~~

6 SEC. 12. Section 52314.7 of the Education Code is repealed.

7 ~~52314.7. (a) The average daily attendance of pupils admitted~~
8 ~~to a regional occupational center or program pursuant to Section~~
9 ~~52314.5 shall be computed at the rate of average daily attendance~~
10 ~~available for high school pupils.~~

11 ~~(b) This section shall only be operative in a fiscal year for~~
12 ~~which the Budget Act for that fiscal year limits the amount of~~
13 ~~funds which may be apportioned for regional occupational~~
14 ~~centers or programs.~~

15 SEC. 13. Section 52315 of the Education Code is amended to
16 read:

17 52315. (a) Any visually impaired, orthopedically impaired,
18 or deaf person who is not enrolled in a regular high school or
19 community college program may attend a regional occupational
20 center or regional occupational program ~~on the same basis as a~~
21 ~~high school pupil pursuant to the requirements described in~~
22 ~~Section 52314.5.~~ Additional special instruction and support
23 services shall be provided to these persons.

24 If

25 ~~(b) If the Superintendent of Public Instruction~~ determines that
26 there would be a duplication of effort to these impaired persons if
27 a regional occupational center or regional occupational program
28 provided services to them, in that other programs exist that are
29 available to them, the ~~superintendent~~ *Superintendent* may
30 disapprove of the curriculum to provide programs to these
31 impaired persons pursuant to Section 52309 and of any state
32 funding made available pursuant to Section 41897 for these
33 purposes.

34 SEC. 14. If the Commission on State Mandates determines
35 that this act contains costs mandated by the state, reimbursement
36 to local agencies and school districts for those costs shall be
37 made pursuant to Part 7 (commencing with Section 17500) of
38 Division 4 of Title 2 of the Government Code.

O